No. 16-299	
Title:	**National Association of Manufacturers, Petitioner** **v.** **Department of Defense, et al.**
Docketed:	September 7, 2016
Linked with 16A11, 17A146	
Lower Ct:	United States Court of Appeals for the Sixth Circuit
Case Numbers:	(15-3751)
Decision Date:	February 22, 2016
Rehearing Denied:	April 21, 2016
Questions Presented	

DATE	PROCEEDINGS AND ORDERS
Jun 30 2016	Application (16A11) to extend the time to file a petition for a writ of certiorari from July 20, 2016 to September 2, 2016, submitted to Justice Kagan.
Jul 01 2016	Application (16A11) granted by Justice Kagan extending the time to file until September 2, 2016.
Sep 02 2016	Petition for a writ of certiorari filed. (Response due October 7, 2016)
Sep 29 2016	Order extending time to file response to petition to and including November 7, 2016.
Oct 05 2016	Brief of respondents Agrowstar LLC, et al. in support filed.
Oct 07 2016	Brief of respondents American Farm Bureau Federation, et al. in support filed.
Oct 07 2016	Brief of respondents Ohio, et al. filed.
Oct 28 2016	Order further extending time to file response to petition to and including December 7, 2016.
Dec 07 2016	Brief of Federal Respondents in opposition filed.

Dec 20 2016	Reply of petitioner National Association of Manufacturers filed.
Dec 21 2016	DISTRIBUTED for Conference of January 6, 2017.
Jan 09 2017	DISTRIBUTED for Conference of January 13, 2017.
Jan 13 2017	Petition GRANTED.
Jan 27 2017	Consent to the filing of amicus curiae briefs in support of either party or of neither party from counsel for the petitioner filed.
Jan 31 2017	Motion to dispense with printing the joint appendix filed by petitioner National Association of Manufacturers.
Feb 01 2017	Consent to the filing of amicus curiae briefs, in support of either party or of neither party, received from counsel for the respondents AGrowStar, LLC, et al.
Feb 15 2017	The time to file petitioner's brief on the merits is extended to and including March 29, 2017.
Feb 17 2017	The time to file respondents' briefs on the merits is extended to and including May 31, 2017.
Feb 21 2017	Motion to dispense with printing the joint appendix filed by petitioner GRANTED.
Mar 06 2017	Motion to hold the briefing schedule in abeyance filed by federal respondents.
Mar 07 2017	The time to file petitioner's brief on the merits is further extended to and including April 13, 2017.
Mar 15 2017	Motion DISTRIBUTED for Conference of March 31, 2017.
Mar 15 2017	Opposition of respondents American Farm Bureau Federation, et al. to motion to hold the briefing schedule in abeyance filed. (Distributed)
Mar 15 2017	Response of respondents Ohio, et al. to motion to hold the briefing schedule in abeyance filed. (Distributed)
Mar 15 2017	Opposition of respondents Natural Resources Defense Council, et al. to motion to hold the briefing schedule in abeyance filed. (Distributed)
Mar 16 2017	Opposition of respondents Waterkeeper Alliance, et al. to motion to hold the

	briefing schedule in abeyance filed. (Distributed)
Mar 17 2017	Opposition of respondents New York, et al. to motion to hold the briefing schedule in abeyance filed. (Distributed)
Apr 03 2017	Motion to hold the briefing schedule in abeyance DENIED.
Apr 06 2017	The time to file petitioner's brief on the merits is further extended to and including April 27, 2017.
Apr 21 2017	Consent to the filing of amicus curiae briefs in support of either party or neither party from counsel for respondents American Farm Bureau Federation, et al. filed.
Apr 26 2017	Consent to the filing of amicus curiae briefs, in support of either party or of neither party, received from counsel for the Federal Respondent.
Apr 26 2017	Brief of respondents Agrowstar LLC, et al. in support filed.
Apr 27 2017	Brief of respondents Waterkeeper Alliance, Inc., et al. in support filed.
Apr 27 2017	Brief of respondent Utility Water Act Group in support filed.
Apr 27 2017	Brief of petitioner National Association of Manufacturers filed.
Apr 27 2017	Brief of respondents Ohio, et al. in support filed.
Apr 27 2017	Consent to the filing of amicus curiae briefs, in support of either party or of neither party, received from counsel for respondents Ohio, et al
May 03 2017	Consent to the filing of amicus curiae briefs, in support of either party or of neither party, received from counsel for intervenors-respondents New York, et al.
May 04 2017	Brief amici curiae of The Chamber of Commerce of the United States of America, et al. filed.
May 05 2017	Consent to the filing of amicus curiae briefs, in support of either party or of neither party, received from counsel for respondents Waterkeeper Alliance, et al.
May 10 2017	The time to file respondents' briefs on the merits is extended to and including July 28, 2017.

Jun 26 2017	Motion for divided argument filed by respondents Ohio, et al.
Jul 19 2017	SET FOR ARGUMENT on Wednesday, October 11, 2017.
Jul 28 2017	Brief of respondents Department of Defense, et al. filed.
Jul 28 2017	Brief of respondents Natural Resources Defense Council, et al. filed.
Aug 01 2017	Record requested from the U.S.C.A. 6th Circuit.
Aug 03 2017	Record received from the U.S.C.A. 6th Circuit is electronic.
Aug 03 2017	Application (17A146) to extend the time to file reply briefs on the merits from August 28, 2017 to September 11, 2017, submitted to Justice Kagan.
Aug 07 2017	Application (17A146) granted by Justice Kagan extending the time to file reply briefs on the merits until September 11, 2017.
Aug 09 2017	CIRCULATED
Aug 25 2017	Motion for divided argument filed by respondents Ohio, et al. in support of petitioner GRANTED.
Sep 08 2017	Reply of respondents State Respondents Ohio, et al. in support of petitioner filed. (Distributed)
Sep 11 2017	Reply of respondent Utility Water Act Group in support of petitioner filed. (Distributed)
Sep 11 2017	Reply of respondents Waterkeeper Alliance, Inc., et al. in support of petitioner filed. (Distributed)
Sep 11 2017	Reply of petitioner National Association of Manufacturers filed. (Distributed)
Oct 11 2017	Argued. For petitioner: Timothy S. Bishop, Chicago, Ill. For respondents Ohio, et al. in support of petitioner: Eric E. Murphy, State Solicitor for Ohio, Columbus, Ohio. For respondents: Rachel P. Kovner, Assistant to the Solicitor General, Department of Justice, Washington, D. C.
Nov 17 2017	Letter of petitioner National Association of Manufacturers filed. (Distributed) **Main Document**

Nov 22 2017	Letter of respondents Department of Defense, et al. filed. (Distributed) **Main Document**
Jan 22 2018	Judgment REVERSED and case REMANDED. Sotomayor, J., delivered the **opinion** for a unanimous Court.

NAME	ADDRESS	PHONE
Attorneys for Petitioner		
Timothy S. Bishop Counsel of Record	Mayer Brown LLP 71 South Wacker Drive Chicago, IL 60606 tbishop@mayerbrown.com	312-782-0600
Party name: National Association of Manufacturers		
Attorneys for Respondents		
Andrew D. Bing Counsel of Record	Deputy Solicitor General The Capitol Albany, NY 12224-0341 Andrew.Bing@ag.ny.gov	(518) 776-2050
Party name: New York, et al.		
Kristy A. Niehaus Bulleit Counsel of Record	Hunton & Williams, LLP 2200 Pennsylvania Ave., N.W. Washington, DC 20037 kbulleit@hunton.com	202-955-1500
Party name: Utility Water Act Group		
Kristy A.N. Bulleit Counsel of Record	Hunton & Williams LLP 1900 K Street, N.W. Washington, DC 20006	(202) 955-1547
Party name: Utility Water Act Group		
Eric F. Citron Counsel of Record	Goldstein & Russell, P.C. 7475 Wisconsin Ave., Suite 850 Bethesda, MD 20814 ec@goldsteinrussell.com	(202) 362-0636
Party name: Natural Resources Defense Council, et al.		
Noel J. Francisco Counsel of Record	Solicitor General United States Department of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530-0001 SupremeCtBriefs@USDOJ.gov	202-514-2217

Party name: Department of Defense, et al.

M. Reed Hopper Counsel of Record	Pacific Legal Foundation 930 G Street Sacramento, CA 95814 mrh@pacificlegal.org	(916) 419-7111

Party name: Agrowstar LLC, et al.

Allison M. LaPlante Counsel of Record	Lewis & Clark Law School, Earthrise Law Center 10015 S.W. Terwilliger Boulevard Portland, OR 97219 laplante@lclark.edu	(503)-768-6894

Party name: Waterkeeper Alliance, Inc., et al.

Allison Michelle LaPlante Counsel of Record	Earthrise Law Center, Lewis & Clark Law School 10015 S.W. Terwilliger Blvd. Portland, OR 97219 laplante@lclark.edu	(503)-768-6894

Party name: Waterkeeper Alliance, Inc., et al.

Eric E. Murphy Counsel of Record	Office of the Attorney General 30 East Broad Street, 17th Floor Columbus, OH 43215 eric.murphy@ohioattorneygeneral.gov	(614)-466-8980

Party name: State Respondents Ohio, et al. in support of petitioner

Ellen Steen Counsel of Record	American Farm Bureau Federation 600 Maryland Ave., SW, Suite 1000W Washington, DC 20024 ellens@fb.org	(202) 406-3616

Party name: American Farm Bureau Federation, et al.

Other

William S. Consovoy	Consovoy McCarthy Park PLLC 3033 Wilson Boulevard, Suite 700 Arlington , VA 22201 will@consovoymccarthy.com	(703) 243-9423

Party name: The Chamber of Commerce of the United States of America, et al.